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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/653,302	09/02/2003	Su-Huei Jeng	252011-1440	2762
47390 7590 04/03/2007 THOMAS, KAYDEN, HOSTEMEYER & RISLEY LLP 100 GALLERIA PARKWAY SUITE 1750 ATLANTA, GA 30339			EXAMINER LOVING, JARIC E	
			ART UNIT 2137	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/03/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/653,302	Applicant(s) JENG ET AL.	
	Examiner Jaric Loving	Art Unit 2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. This office action is responsive to Applicant's request for reconsideration filed on January 10, 2007. Claims 1-16 are pending.
2. Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Symons et al., US 2003/0105881.

In claims 1 and 12, Symons discloses a method and storage medium containing a stored computer program for detecting unauthorized hardware devices in a local area network, comprising steps of:

scanning ports of a plurality of hardware devices to retrieve MAC addresses thereof (paragraphs [0008]-[0010], [0019]);

filtering an uplink port on each of the hardware devices to acquire a first MAC address list (paragraphs [0024]-[0026], [0034], [0036]);

calculating the number of MAC addresses of the filtered ports to acquire a second MAC address list (paragraphs [0022], [0028]-[0030], [0034], [0036], [0055]-[0056]); and

subtracting the number of ports with more than two MAC addresses on the first MAC address list from the number of ports with more than two MAC addresses on the second MAC address list, thereby obtaining at least one unauthorized MAC address (paragraphs [0022], [0025]-[0026], [0048], [0058]-[0060], [0066]).

In claims 2 and 13, Symons discloses the method and storage medium as claimed in claims 1 and 12, respectively, further comprising steps of:

comparing the MAC addresses of the unauthorized hardware devices with MAC addresses in a routing entry table to obtain Internet Protocol (IP) addresses of the unauthorized hardware devices (paragraphs [0037]-[0040], [0046], [0048]); and

acquiring user information for the unauthorized hardware devices by SNMP or WINS services in accordance with the IP address of the unauthorized hardware devices (paragraphs [0036], [0051]).

In claims 3 and 14, Symons discloses the method and storage medium as claimed in claims 1 and 12, respectively, wherein in the scanning step, the ports of the authorized hardware devices are recursively scanned by one of the authorized network devices (paragraphs [0008]-[0010], [0019], [0023], [0026]).

In claims 4 and 15, Symons discloses the method and storage medium as claimed in claims 1 and 12, respectively, wherein in the scanning step, the MAC addresses of authorized hardware devices are stored in a database (paragraph [0028]).

In claims 5 and 16, Symons discloses the method and storage medium as claimed in claims 1 and 12, respectively, wherein in the scanning step, the ports of authorized network devices are scanned by simple network management protocol (paragraphs [0036], [0051]).

In claim 6, Symons discloses the method as claimed in claim 1, wherein a simple network management protocol is used in the calculating step (paragraphs [0036], [0051]).

In claim 7, Symons discloses a system for detecting unauthorized hardware devices in a local area network, comprising:

a device detection unit for scanning a plurality of ports of a plurality of hardware devices to retrieve MAC addresses thereof, filtering an uplink port of each hardware device to acquire a first MAC address list, and calculating the number of MAC addresses of the ports of the network devices to acquire a second MAC address list (paragraphs [0008]-[0010], [0019], [0022], [0024]-[0026], [0028]-[0030], [0034], [0036], [0055]-[0056]); and

a device processing unit, coupled with the device detection unit, for subtracting the number of ports with more than two MAC addresses on the first MAC address list from the number of ports with more than two MAC addresses on the second MAC address list, thereby obtaining at least one unauthorized MAC address (paragraphs [0022], [0025]-[0026], [0048], [0058]-[0060], [0066]).

In claim 8, Symons discloses the system as claimed in claim 7, wherein the device processing unit compares the MAC addresses of the unauthorized hardware

devices with MAC addresses in a routing entry table to obtain Internet Protocol (IP) addresses of unauthorized hardware devices, and acquire user information of the unauthorized hardware devices by SNMP or WINS services (paragraphs [0036]-[0040], [0046], [0048], [0051]).

In claim 9, Symons discloses the system as claimed in claim 7, wherein the device detection unit recursively scans the ports of the hardware devices (paragraphs [0008]-[0010], [0019], [0023], [0026]).

In claim 10, Symons discloses the system as claimed in claim 7, wherein the device detection unit stores the MAC addresses of the hardware devices in a database (paragraph [0028]).

In claim 11, Symons discloses the system as claimed in claim 7, wherein the device detection unit scans the ports of the network devices by simple network management protocol (paragraphs [0036], [0051]).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Hammons et al., US 2006/0080727; Poletto et al., US 2005/0033989; Williams et al., US 2005/0015623; Ginter et al., US 2005/0015624; Knight, US 2004/0255167; Bearden et al., US 2003/0097438; Kwan et al., US 2004/0255154; Sherer et al., US 6,115,376.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jaric Loving whose telephone number is (571) 272-1686. The examiner can normally be reached on Monday-Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



JL



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